

CALLS TO THE BAR—PRACTICE CONCERNING AWARDS.

spirit of system which Bacon in his "Novum Organum" (App. 45), points out as one of the standingsnares of the human intellect. But on the other hand there is no study which has so many kindred studies to which it naturally leads, and which it illustrates, while in turn it is illustrated by them. History, especially Constitutional and Legal History,—Physiology, in connection with Medical Jurisprudence, and even Metaphysics, are all of them connected with and useful aids to the study of law. Pursued in connection with it, they immensely add to its interest, and may turn what would, otherwise perhaps, be an irksome profession, into an elevating and pleasing pursuit. We, therefore, cannot but wish well to those who are urging the re-establishment of the law school, provided the requisite funds are at hand. It should never be said, if it can be avoided, that a desire for aid to a higher intellectual life in the rising generation remained unsatisfied.

A correspondent remarks that the "Law Society has gone largely into the manufacture of new Barristers out of old Attorneys"; and suggests that it may be attributed to the N. P. What those mysterious letters may mean, we are unable, in our editorial capacity, to fathom, and Abbott's Legal Dictionary gives us no information on the subject; but we are not quite prepared to agree with our correspondent that the matter he refers to is altogether a "growing evil." It must be remembered that in this country the two professions are practically united, and this union must be taken with its almost necessary incidents. It is true that the standard of examinations for the Bar is somewhat higher than that for Attorneys, though, after all there is no great difference; but it is also true that

the majority of those practising as barristers and attorneys, would, we think, be unable to give a very good account of the examination papers required for either one or the other, although they would, probably, from experience gained by practice, be more likely to conduct their client's business satisfactorily than would a newly fledged barrister. We are not prepared, of course, to say that every attorney should, as a consequence, and as a matter of course, be called to the Bar when he so desires it; but there is no good reason that we know of, why he should not be called if his character and attainments justify what may be termed promotion to the Bar. Every case must stand, necessarily, on its own merits, and we are not, at present, aware there has been any marked departure from what might be considered a wise discretion in the premises.

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Summary jurisdiction to set aside awards was first conferred upon the Courts by 9 & 10 Will. III. cap. 15 which enabled any of the parties to the arbitration to have the agreement to refer made a rule of Court. Under this statute, however, it was necessary for the parties "to insert such their agreement in their submission" (sec. 1). This provision was changed by the English Common Law Procedure Act of 1854 (sec. 17), which provided that the submission to arbitration might be made a rule of Court unless it contained words purporting that the parties intended that it should not be made a rule of Court. This was copied into our Common Law Procedure Act, and appears now in the Revised Statutes (cap. 50, sec. 201). The power to interfere summarily was supposed and until very